

## UNITED STATES DISTRICT COURT

for the

Southern District of Texas

United States of America

v.

Felix Alberto MARTINEZ

Case No.

*Defendant(s)*

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of 11/17/2020 in the county of Webb in the  
Southern District of Texas, the defendant(s) violated:

*Code Section*

Title 21 U.S.C 841 (a) (1)

*Offense Description*

knowingly and intentionally possess with the intent to distribute a controlled substance listed under Schedule I of the Controlled Substance Act, to wit, approximately 33.5 kilograms of marijuana.

This criminal complaint is based on these facts:

See Attachment

☒ Continued on the attached sheet.

/S/

*Complainant's signature*

Special Agent Carson Brown

*Printed name and title*

Sworn to before me and signed in my presence.

Date: 11/19/2020*Judge's signature*City and state: Laredo, Texas

Christopher Dos Santos U.S Magistrate Judge

*Printed name and title*

**ATTACHMENT IN  
SUPPORT OF COMPLAINT**

I, DEA Special Agent Carson M. Brown, declare and state as follows.

On November 17, 2020, Border Patrol Agents were working their assigned duties at the Laredo North Border Patrol Checkpoint located on Interstate Highway 35 mile marker 29, just north of Laredo, Texas.

At approximately 3:20 p.m., a black in color GMC Yukon traveling northbound on Interstate Highway 35, approached the primary car lane of the inspection station. The black in color GMC Yukon was occupied by a single male driver, who was later identified as Felix Alberto MARTINEZ. Border Patrol Agents began their inspection by asking MARTINEZ if there was anyone else in the vehicle with him. MARTINEZ stated "no". Border Patrol Agents then observed several items located behind the second row seat of the GMC Yukon driven by MARTINEZ. Border Patrol Agents then asked for consent to open the back hatch of the vehicle, to which MARTINEZ stated "yes". At this point Border Patrol Agents instructed MARTINEZ to place the GMC Yukon in park, and to unlock the rear hatch. At this point, Border Patrol Agents noticed MARTINEZ begin to exhibit nervous behavior. According to Border Patrol Agents, MARTINEZ began to fidget with the door unlock controls. During this time, a Border Patrol Canine Unit performed a free air sniff of the vehicle and alerted to the presence of concealed humans or the odors of a controlled substance. After opening the rear hatch of the vehicle, Border Patrol Agents were able to observe trash bags in the back of the GMC Yukon which they believed contained narcotics.

At this point, Border Patrol Agents detained MARTINEZ in order to conduct a further inspection of the vehicle. Border Patrol Agents directed MARTINEZ to exit his vehicle. After exiting his vehicle, Border Patrol Agents transported him inside for further processing. Once MARTINEZ had been brought inside of the facility, Border Patrol Agents conducted a pat down search, and collected his property. During this process, Border Patrol Agents found a tightly wrapped piece of paper on MARTINEZ's person. The piece of paper was found to contain a black tar substance which field tested positive for heroin and weighed approximately one gram. At this point, MARTINEZ was placed under arrest.

During a secondary search of the GMC Yukon that was driven by MARTINEZ, Border Patrol Agents seized six (6) bundles wrapped in white trash bags and wrapped in clear cellophane. The contents of the bundles were then inspected, revealing the presence of a green leafy substance consistent with marijuana. Border Patrol Agents then conducted a field test of the green leafy substance, which tested positive for marijuana. The six (6) bundles of marijuana were weighed by Border Patrol Agents, yielding a total weight of 33.5 kilograms.

At approximately 8:30 p.m. Drug Enforcement Administration (DEA) Special Agents responded to the Laredo North Border Patrol Checkpoint to interview MARTINEZ. Drug Enforcement Administration agents advised MARTINEZ of his Miranda rights in the English language. MARTINEZ is a fluent English speaker. After being advised of his Miranda rights, MARTINEZ stated that he understood his rights and

that he wished to have an attorney present with him during any questioning. At this point the interview was terminated.

I declare (certify, verify, or states) under penalty of perjury that the following is true and correct.  
Executed on the 18<sup>th</sup> day of November 2020.

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Carson M. Brown  
Special Agent  
Drug Enforcement Administration